

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

REMARO L. CURRY-SMITH,

Plaintiff,

v.

Civil Case No. 18-11803
Honorable Linda V. Parker

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S AUGUST
23, 2018 REPORT AND RECOMMENDATION
AND DISMISSING ACTION**

On June 6, 2018, Plaintiff filed this lawsuit challenging the Commissioner of Social Security's final decision denying Plaintiff's application for social security benefits. On the same date, this Court referred the lawsuit to Magistrate Judge Patricia Morris for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 3.) On August 2, 2018, this Court adopted Magistrate Judge Morris' R&R, recommending denial of Plaintiff's application to proceed in forma pauperis in this matter. (ECF No. 6.) On the same date, Magistrate Judge Morris issued an order informing Plaintiff of his responsibility to pay the filing fee

and that failure to do so by August 9, 2018 could result in the dismissal of this case. (ECF No. 7.)

On August 23, 2018, when Plaintiff still had not paid the filing fee, Magistrate Judge Morris issued an R&R, recommending that the Court dismiss Plaintiff's Complaint for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Eastern District of Michigan Local Rule 41.2. (ECF No. 8.) At the end of the R&R, Magistrate Judge Morris advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at Pg ID 24-25.) She further specifically advises the parties that "[f]ailure to file specific objections constitutes a waiver of any further right to appeal." (*Id.* at Pg ID 24.) Neither Plaintiff nor Defendant filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Morris. The Court therefore adopts Magistrate Judge Morris' August 23, 2018 R&R.

Accordingly,

IT IS ORDERED that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** and this matter is **CLOSED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: September 20, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 20, 2018, by electronic and/or U.S. First Class mail.

s/ R. Lory
Case Manager